

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 09-CR-110

JERMAINE E. SUTTON,

Defendant.

DECISION AND ORDER

Defendant Jermaine Sutton (Sutton) motions the Court to reduce his sentence pursuant to Amendment 782 of the United States Sentencing Guidelines which lowered the penalties for most drug offenses by reducing most offense levels on the 2D1.1 Drug Quantity Table by two levels. 18 U.S.C. § 3582(c) allows the Court to reduce a defendant's sentence if (1) the U.S. Sentencing Commission has lowered the applicable guideline range, and (2) the reduction is consistent with applicable policy statements issued by the Commission.

Sutton pled guilty to being a felon in possession of a firearm and was sentenced under Section 2K2.1 of the Sentencing Guidelines. Because Amendment 782 lowered the penalty only for drug offenses, it is inapplicable to Sutton's conviction and would not have affected the


guideline range for his sentence. Accordingly, Sutton's motion must be denied.

IT IS HEREBY ORDERED THAT:

Sutton's motion to reduce sentence – USSC amendment (ECF No. 55) is **DENIED**.

Dated at Milwaukee, Wisconsin, this 20th day of October, 2015.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge